

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

LAWRENCE J. PEET,

PLAINTIFF,

v.

JEFFREY A. BEARD, et al.,

DEFENDANTS.

No. 3:10-CV-482

(JUDGE CAPUTO)

(MAGISTRATE JUDGE CARLSON)

ORDER

NOW this 22nd day of February, 2011, upon review of the report and recommendation of Magistrate Judge Martin C. Carlson (Doc. 27) for plain error or manifest injustice, **IT IS HEREBY ORDERED** that:

- (1) The report and recommendation (Doc. No. 27) is **ADOPTED**.
- (2) The motion to dismiss (Doc. 8) is **DENIED**.
- (3) This matter is **RECOMMITTED** to Magistrate Judge Carlson.



A. Richard Caputo
United States District Judge